

**Merchant & Gould**

An Intellectual Property Law Firm

**RECEIVED  
CENTRAL FAX CENTER****FEB 10 2005**3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-  
gould.com

A Professional Corporation

**Fax Transmission** | February 10, 2005TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: Mara E. Liepa

OUR REF: 13045.20USC1  
TELEPHONE: 612.371.5222

Total pages, including cover letter: 4

PTO FAX NUMBER 1-703.872.9306

If you do NOT receive all of the pages, please telephone us at 612.371.5222, or fax us at 612.332.9081.

Title of Document Transmitted:	<u>Second Preliminary Amendment</u>
Applicant:	<u>McClurken</u>
Serial No.:	<u>10/773,503</u>
Filed:	<u>February 6, 2004</u>
Group Art Unit:	<u>3762</u>
Our Ref. No.:	<u>13045.20USC1</u>
Confirmation No.	<u>6627</u>

Please charge any fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By:

Name: Mara E. LiepaReg. No.: 40,066

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Mara E. Liepa

Signature

Date

GEN033.DOT

S/N 10/773,503

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MCCLURKEN Examiner: Unknown  
Serial No.: 10/773,503 Group Art Unit: 3762  
Filed: February 6, 2004 Docket No.: 13045.20USC1  
Confirmation No.: 6627  
Title: ELECTROSURGICAL DEVICE HAVING A TISSUE REDUCTION  
SENSOR

RECEIVED  
CENTRAL FAX CENTER

FEB 10 2005

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2005.

By:

Name: Mara E. Liepa

SECOND PRELIMINARY AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In connection with the above identified application, please enter the following preliminary amendment. This is in reply to the Office Action mailed February 4, 2005.

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.